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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/823,322	04/13/2004	Gabriella Cerrato-Jay	TEL0666-01

CONFIRMATION NO. 4510

FORMALITIES LETTER



OC000000013063488

000832
 BAKER & DANIELS
 111 E. WAYNE STREET
 SUITE 800
 FORT WAYNE, IN 46802

Date Mailed: 06/24/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

08/12/2004 YPOLITE1 00000034 10823322

01 FC:1051

130.00 0P

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be 'C. Han', is written over a horizontal line.

Customer Service Center

- Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

AUG 12 2004

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** **\$130.00****Complete if Known**

Application Number	10/823,322
Filing Date	April 13, 2004
First Named Inventor	Gabriella Cerrato-Jay et al.
Examiner Name	
Art Unit	
Attorney Docket No.	220-291/TEL0666-01

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

02-0385

Deposit
Account
Name

BAKER & DANIELS

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims		Fee from below		Fee Paid
Total Claims	-20** =		X	
Independent Claims	-3** =	0	X	0.00
Multiple Dependent		0	X	0.00

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non - English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

\$130.00

SUBMITTED BY

Name (Print/Type)	Adam F. Cox	Registration No. (Attorney/Agent)	46,644	Telephone	260-424-8000
Signature		Date	August 9, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
220-291 / TEL0666-01

In.Re Application Of: Gabriella Cerrato-Jay et al.

Application No. 10/823,322	Filing Date April 13, 2004	Examiner	Customer No. 000832	Group Art Unit	Confirmation No. 4510
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Invention: TUNED MUFFLER FOR SMALL INTERNAL COMBUSTION ENGINES



Mail Stop Missing Parts
COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
June 24, 2004
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

FY 2004 Fee Transmittal

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
220-291 / TEL0666-01

In,Re Application Of: Gabriella Cerrato-Jay et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/823,322	April 13, 2004		000832		4510

Invention: TUNED MUFFLER FOR SMALL INTERNAL COMBUSTION ENGINES

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

- | | |
|---|-----------------|
| <input type="checkbox"/> Utility application filing fee | _____ |
| <input type="checkbox"/> Design application filing fee | _____ |
| <input type="checkbox"/> Total number of independent claims = _____ | _____ |
| <input type="checkbox"/> Total number of claims = _____ | _____ |
| <input type="checkbox"/> Multiple dependent claims | _____ |
| <input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath | <u>\$130.00</u> |
| <input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor | _____ |
| <input type="checkbox"/> Fee for processing an application filed with a non-English language specification | _____ |
| <input type="checkbox"/> Fee for processing and retention of application | _____ |

Total completion of application fees \$130.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: _____ until: _____

Date *Date*

Total time extension fees _____

Total fees due \$130.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
220-291 / TEL0666-01

In, Re Application Of: Gabriella Cerrato-Jay et al.

Application No. 10/823,322	Filing Date April 13, 2004	Examiner	Customer No. 000832	Group Art Unit	Confirmation No. 4510
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Invention: TUNED MUFFLER FOR SMALL INTERNAL COMBUSTION ENGINES

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of \$130.00 is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 02-0385
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 02-0385


Signature

Dated: August 9, 2004

Adam F. Cox, Regis. No. 46,644
BAKER & DANIELS
111 East Wayne St., Suite 800
Fort Wayne, IN 46802

TX: (260) 424-8000
FAX: (260) 460-1700

I certify that this document and fee is being deposited on Aug. 9, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature of Person Mailing Correspondence

Adam F. Cox

Typed or Printed Name of Person Mailing Correspondence

CC: